

# Stewardship of Aquatic Lands and Resources

Washington's 2.4 million acres of state-owned aquatic lands are a largely hidden but valuable resource.

## Contaminated Sediment Cleanup

Working with other agencies, cities, utilities, ports and the private sector, in 2002 DNR continued to make progress toward the cleanup of contaminated sediments in Bellingham Bay and Commencement Bay in Tacoma.

### BELLINGHAM BAY

The Bellingham Bay Pilot Project continues to be a successful partnership among the City of Bellingham, the Port of Bellingham, Georgia Pacific, DNR, the departments of Ecology and Fish & Wildlife, tribes, federal agencies and environmental groups. Since the project was created in 1996, all these entities have worked toward the cleanup and restoration of Bellingham Bay.



DNR

### Geoduck Program

Leases for geoduck harvests are a major source of revenue from state-owned aquatic lands. Here, DNR's Geoduck Program staff look for evidence of poaching. In 2002, DNR, Washington Department of Fish and Wildlife and Pierce County worked together to break up a poaching ring, estimated to have stolen thousands of pounds of the long-necked clam from state waters.

Steps taken in 2002 include:

- Additional sediment testing to determine the feasibility of a supplemental alternative to dealing with the contamination and to further evaluate/characterize sediments for the cleanup action plan. DNR helped fund this testing.
- Identifying locations for long-term containment of contaminated sediments. Because the Bellingham Bay pilot groups worked on this collaboratively, the regulatory process and actual cleanup should go more quickly and smoothly.
- Developing a monitoring framework. Produced by the habitat action team, this framework supports efforts that are beginning to restore habitat for salmon and other aquatic wildlife in areas that had been developed or contaminated.

Bellingham Bay was originally selected as a pilot project to test voluntary compliance in contaminated sediment cleanup, as opposed to relying on costly litigation. The collaboration of the government and private sector entities participating in the project has created a mechanism to solve problems in a complex regulatory environment, a model that could be successfully duplicated at other sites.

DNR will continue to work with the project groups and other interested parties to support Bellingham Bay as a place where environmentally responsible management and economic development can go hand-in-hand.

### COMMENCEMENT BAY

Cleanup work has begun at several projects in Commencement Bay, including on the Olympic View Restoration Area, the Thea Foss Waterway, and the Middle Waterway.

On the Olympic View parcel, cleanup and habitat restoration by the City of Tacoma and Natural Resource Damage Assessment trustees is well

underway. On Thea Foss Waterway, one product of the work has been Citizens for a Healthy Bay's efforts to develop a clean boating program in the waterway. Also, DNR, the City of Tacoma and the Foss Waterway Development Authority have entered into a Memorandum of Understanding to foster environmentally sensitive redevelopment and revitalization of Thea Foss Waterway. Middle Waterway is a joint project among public and private sector entities working towards a solution for a long-term cleanup, creating opportunities for future use and development, as well as significant habitat restoration.

In both Tacoma and Bellingham, cooperation among public and private entities has been critical. Continued cooperation after cleanup is completed will help keep these areas productive and healthy.

## Port Management Agreements

Across the state, ports use state-owned aquatic lands to support Washington trade. DNR, as manager of these lands, uses Port Management Agreements to delegate the day-to-day management authority for leasing and development on the lands to the ports.

The agreements give ports flexibility to pursue economic development, but DNR retains some responsibility to assure that ports preserve environmental quality and that state waterfronts are available for water-dependent navigation and commerce.

In the past year, DNR finalized the renewal and update of two important Port Management Agreements in Everett and Kalama. DNR also partnered with the Port of Port Angeles to facilitate the first exchange of aquatic lands between the Port and DNR, allowing the development of a convention center and significantly improving public access to the waterfront.

In 2003, DNR will continue to work with the Washington Public Ports Association to further clarify and streamline management procedures under Port Management Agreements, allowing



**Photo:** More than just an eyesore, derelict and abandoned vessels can pose hazards to the environment and to navigation. New legislation gives DNR tools to help address the problem, while holding owners of these vessels accountable.

Ports to grow and continue to support thousands of trade-related jobs in communities statewide.

## Derelict Vessels

Across the state, dozens of derelict and abandoned vessels are in danger of sinking and becoming hazards for boat traffic. Many of these vessels also contain hazardous materials, such as paint, fuel, oil, and solvents, which could contaminate water and sediments.

In many cases, the owners do not have the money to properly care for or dispose of these vessels, and they simply abandon them. In some cases, the legal owner cannot even be located.

Because DNR manages state-owned aquatic lands, derelict vessels are a major concern to the department. Unfortunately, until 2002 DNR did not have the legal authority or the funding to deal with them and had to rely on cooperation by the vessel owners. DNR was able to work with local agencies and volunteers to dispose of some derelict vessels, but the process was slow and difficult to arrange.

In 2002, the Legislature passed a bill to address derelict vessels, creating a fund for their removal and giving DNR the legal authority to deal with these vessels

when owners could not be found or would not take action.

DNR's new authority makes it possible to deal more effectively with derelict vessels in Washington's waters. Although both the United States Coast Guard (USCG) and the Army Corps of Engineers (Corps) have federal authority to address such vessels, that authority is often constrained. The Corps is authorized to remove floating or sunken debris, but only if that debris is a hazard to navigation. Similarly, the USCG can address vessels that pose a substantial threat to the environment or navigation channels, but it doesn't have authority to remove and dispose of a vessel once the immediate threat has been removed.

DNR is making an inventory of derelict vessels and prioritizing them for use of the new removal fund. Criteria include consideration of environmental protection, threats to human health and safety, as well as threats to navigation. During 2003, DNR expects to remove about 10 derelict vessels from Puget Sound and other Washington waters.

For more information about the derelict vessel removal program, visit the site map/index at DNR's web page: [www.dnr.wa.gov](http://www.dnr.wa.gov)